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Mayor Charles Henderson called the meeting to order at 6:00 p.m.

PRESENT: Board members Warren Beville, Mayor Henderson, Kevin Hoover;  
Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis;  
and Director of Engineering Paul Peoni.

Mr. Beville moved that the minutes of March 9<sup>th</sup> be accepted as mailed. Second was by Mr. Hoover. Vote: Ayes.

Chief Information Officer Rick Jones came forward to discuss the annual licensing of the Microsoft products that are installed in our workstations and servers at this time. As in the past, the most cost effective way to accomplish this is to take advantage of the State of Indiana QPA pricing that has been negotiated with Microsoft. Because of the State's volume, this also lets us acquire licenses at the highest level of discounting that is available. Microsoft does not sell Volume Licensing directly but works through third part authorized resellers. Mr. Jones told the Board that he contacted three vendors and found the most cost effective pricing to be with CompuCom. Volume licensing agreements are typically amortized over a three-year period. The quote from CompuCom reflects an overall decrease of \$2,674.27 from the licensing costs of 2005, even though we are adding several additional workstations and some new products to the agreement. The total cost to the City for each year of the three-year agreement would be \$32,715.89. This would initially be paid by Information Technology and be charged back to the appropriate funds as follows:

Adult Probation	8 – Workstation @ \$134.15/ea	\$1,063.20
Sanitation Billing	7 – Workstations @ \$134.15/ea	\$ 939.05
Sanitation Field	4 – Workstations @ \$134.15/ea	\$ 536.60
General Fund	Remaining Workstations/Common Licenses	\$30,167.04
	TOTAL:	\$32,715.89

Mr. Beville moved to approved this expenditure and authorize the Mayor to sign any appropriate documents, based on the final approval of the contracts by the City Attorney. Second by Mr. Hoover. Vote: Ayes.

Mr. Jones next presented a list of City property currently being stored by Information Technology (in attachments of this meeting). The equipment is no longer cost effective to repair or is no longer needed by the departments in the City. Mr. Jones indicated that the current aggregate value of these items is less than \$5,000 and requested permission to dispose of this property either through auction or direct sale, per the instructions of the City Attorney. Mr. Hoover moved to direct Mr. Jones to dispose of the items on this list, subject to the City Attorney's approval as to the method. Second by Mr. Beville. Vote: Ayes.

At this time, David Kingen of Neighborhood/Downtown Zoning Assistance, Inc. was invited to discuss a Sanitary Sewer Service Agreement at 3209 West Smith Valley Road. This is immediately west of the Schoolcraft Retail Center and backs up to the rear of the Home Depot building. The petitioner desires to develop a two-story office building and is seeking direction on how to expedite the process. Mr. Peoni noted that the City's stance in similar cases, where the property is contiguous to the City limits is to require that they annex into the City if they want sewer service. They have a rezoning petition filed with Johnson County and Mr. Kingen said they would like to continue with that petition and do not want the project delayed while they work through the annexation and rezoning issues. The City Attorney told Mr. Kingen that she is not sure that the Board can expedite the process and explained that typically after property is annexed, the Plan Commission process is started, and there is no concern about a Sewer Service Agreement. Ms. Koons-Davis thought that the only way to expedite the process, if the petitioner is going to go through the County for development, would be to have a Sewer Service Agreement with some term that

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requires the petitioner to annex by a date certain. Mr. Peoni commented that construction plans would be needed. After discussion, Mr. Kingen indicated they would continue on the course he described to rezone and inform the Johnson County Plan Commission they want to annex and to begin discussions on the Sewer Service Agreement, if necessary.

For Greenwood Springs, Block 2, Joe Meyer of KOE Engineering first gave a brief history, pointed out the location of the property, and discussed the details of the project, highlighting the drainage and where they are asking to be allowed to use dry detention. The dry detention would allow for more developable land, and Mr. Meyer described the project as it would be done without the waiver, in response to the City Attorney. Mr. Peoni explained that his major concern is the swale along the interstate, as it would be a concrete swale with no under drain. He thought it might not be maintained properly after water backed up several times. After extensive discussion, Mr. Hoover moved that the freeboard level of the pond on the north side of the fiber optic line can be reduced from 2' to 1', grant the dry detention waiver on the storage in the swale along the western line with proper grades and piping, to direct that the pond in the southern portion of Block 3 be expanded to allow for a dry detention shelf, and there shall be no detention allowed in the swale along the interstate, with plans subject to approval by the Director of Engineering. Second by Mr. Beville. Vote: Ayes.

From the audience, Jay Alley, land development manager for Portrait Homes, came forward to discuss the irrigation system proposed for the Meadows at Bainbridge. The area between the curb and the sidewalk was the area of concern, and Mr. Alley said the system could be designed to be placed out of the right-of-way but would then have to spray water across the sidewalk to keep that area of grass green. After discussion, the consensus of the Board was that they were not comfortable with the irrigation system being placed in the right-of-way. The system will be placed elsewhere.

On her Status of Tasks, the City Attorney discussed the waiver of vendor fees for the Old Towne Merchant's Association Street Fair participants. At the February 23, 2006 meeting the Board granted permission for the use of Machledt Drive for the association's annual street fair scheduled for June 24, 2006. The Board also waived the vendor permit fee for participating vendors, but not the permit requirement. It is the Mayor's intention that the permit (and its fee) be waived for all participants in the street fair. The City Attorney's office has worked with the Old Towne Merchant's Association to draft an Independent Vendor Application, Agreement, and Waiver and Release document that incorporates the information the City needs to effectively regulate vendors and protect itself from liability with the agreement the vendors sign with the Old Towne Merchant's Association. The City Attorney believes this combined form shall protect both entities. Mr. Hoover moved to modify the Board's previous action taken February 23, 2006 regarding the waiver of permit fees for vendors participating in the annual Old Towne Merchant's Association Street Fair on June 24, 2006, to also include waiver of the usual vendor permit on the condition that the vendors execute the Application and Agreement for the Use of City Property, Waiver and Release of Liability/Indemnification prepared by the City Attorney's office. Second by Mr. Beville. Vote: Ayes.

Ms. Koons-Davis next presented a request from the Director of Operations for the preparation of a Professional Services Agreement with KOE Engineering for engineering services to design and do survey work for upgrades to the Cobblestone Lift Station to increase capacity. At her recommendation, Mr. Beville moved to authorize staff to prepare that agreement, with costs not to exceed \$295,000, and authorize the Mayor to sign on the Board's behalf. Second by Mr. Hoover. Vote: Ayes.

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On his Status of Tasks, Mr. Peoni first brought, for the Villages at Grassy Creek, Section 8, an erosion control performance bond #5021459 in the amount of \$65,403. The amount and improvement shown on the bond are correct. Mr. Hoover moved to accept the bond, subject to approval by the City Attorney. Second by Mr. Beville. Vote: Ayes.

Regarding the Mike Watkins Real Estate Office on West Main Street, Mr. Peoni noted that they are asking for release of their maintenance letters-of-credit. There has been a field inspection, and all improvements appear to be in satisfactory condition. The letters-of-credit, from Irwin Union Bank, are:

- 1) #12-03, in the amount of \$346.06 for sidewalk improvements.
- 2) #11-03, in the amount of \$7,197.61 for dirtwork and storm sewers.
- 3) #04-03, in the amount of \$973.72 for erosion control.
- 4) #13-03, in the amount of \$2,445.19 for street improvements in the public right-of-way.

Mr. Beville moved to release these maintenance guarantees as described. Second by Mr. Hoover. Vote: Ayes.

Human Resources Director Bill Jackson next discussed the 2006 insurance renewal. His letter (in the attachments of this meeting) described the proposals and included a comparison of expiring to recommended carriers: premiums/fees and performance bonus incentive criteria. Copies of full proposals are available. Mr. Jackson's recommendation was to retain Arthur J. Gallagher Risk Management Services, Inc., as our Agent of Record. He also recommended that we renew our insurance coverage with Scottsdale/Clarendon as our carrier for: Property and Boiler & Machinery, General Liability, Auto, Law Enforcement, Public Officials', Employment Practices, Umbrella and Crime. Premiums for all coverage and fees for 2006 is \$239,683 as compared to \$263,053 for 2005. Mr. Beville moved to approve and authorize the Mayor to sign a renewal contract with Scottsdale/Clarendon as our carrier and to authorize the Mayor to sign the Performance Bonus Incentive Agreement with Arthur J. Gallagher Risk Management Services, Inc., both effective April 23, 2006. Second by Mr. Hoover. Vote: Ayes.

Mr. Beville moved to accept the claims as presented through March 23<sup>rd</sup>. Second by Mr. Hoover. Vote: Ayes.

In response to the Mayor, Mr. Peoni said that he and the City Attorney have found the bid documents for the Valle Vista Project to be in order. He said he would be calling Milestone Contractors tomorrow and schedule a pre-construction meeting within the next couple of weeks. The goal is to begin the project sometime in April.

With no further business, the meeting adjourned at 7:10 p.m.

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Charles E. Henderson, Mayor

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Jeannine Myers, Clerk-Treasurer